

JACKSONVILLE TREE COMMISSION'S

Level 3

COMMUNITY ORGANIZATION TREE PLANTING PROGRAM

INSTRUCTIONS

I. Purpose

This document sets forth the procedures and rules that must be followed for grant applications for the Jacksonville Tree Commission's Level 3 Community Organization Tree Planting Program (hereafter "Community Organization Tree Program" or "Level 3 Program") utilizing the Tree Protection and Related Expenses Trust Fund. The purpose of the Level 3 Program is to provide grants to local community and not-for-profit organizations for the design, management, and implementation of tree planting projects on publically owned land within Duval County for the conservation and enhancement of the City of Jacksonville's (hereafter "City") tree canopy.

The Tree Commission is an advisory body that encourages and coordinates the efforts of the various public and private entities that are concerned with the conservation and enhancement of the City's tree canopy. The Tree Commission is the subject matter expert on the City's tree canopy and is tasked with making recommendations to the City Council, Mayor's Office, City Staff, and community stakeholders with respect to the planting of trees and the health of the City's tree canopy. Pursuant to Sec. 94.106, *Ordinance Code*, the Tree Commission is charged with coordination of tree planting projects between public and private entities and to review expenditure proposals and plans for such planting projects. To that end, this Level 3 Program sets a framework for how the City might collaborate with community organizations through the funding of eligible, prioritized projects.

The Tree Protection and Related Expenses Trust Fund — as authorized by Sec.111.760, *Ordinance Code*, and Sec. 25.04, *City Charter* ("Tree Funds") — is comprised of funds that are required to be expended on the provision and maintenance of trees and incidental landscaping to such trees on all public lands in Duval County. In an

effort to improve the City's tree canopy, the City will collaborate with not-for-profit, and other community organizations to achieve this goal through tree planting projects.

II. Definitions

- *Applicant* means an eligible not-for-profit or community organization that submits an Application for Tree Protection and Related Expenses Trust Fund funds through the Tree Commission.
- *Application* means the Jacksonville Tree Commission's Level 3 Community Organization Tree Planting Program Application.
- *Application Evaluation Period* means the period commencing at the time of the Level 3 Program Application Deadline listed In Section VII, and ending at the public meeting at which the Tree Commission submits its scores for calculation.
- *Award* means a grant from the City pursuant to the procedures outlined in this document.
- *Award Session* means the schedule reflected in Section VII of this document.
- *Department* means the Public Works Department.
- *Design Consultant* means a qualified professional, such as a Florida Landscape Architect, Urban Forester, Certified Arborist, landscape designer, or other professional who has at least five (5) years of experience in the design, administration, and inspection of public tree planting projects. Experience must include preparing design documents and bid specifications, obtaining bids, providing contractor oversight, and inspecting the contractor's work. The Design Consultant may be an employee of the Applicant.
- *City's Continuous Contract* means the annual contract awarded by the City to a landscape contractor to provide countywide tree planting and maintenance services.
- *Grant Agreement* means the agreement between the Applicant and the City setting forth the requirements and responsibilities for the design, coordination, and implementation of a Project.
- *Project Cost* means the total of all eligible costs associated with the design, coordination, procurement of materials, planting, irrigation, warranty and maintenance of the Project in accordance with this Instructions document.

- *Project Design* means the compilation of the Schematic Planting Plan drawings and the construction drawings and specifications for the irrigation and planting of the trees and incidental landscaping prepared by the Design Consultant.
- *Project Priority List* means the list created by the Tree Commission for submission to the Mayor’s Budget Review Committee (“MBRC”) for consideration and approval for legislation to approve the grant.
- *Publicly-owned property* in Duval County means property owned by a governmental entity, including, but not limited to, land within the City or State right-of-way; local, state or federal parks and preserves; and Duval County School Board property.
- *Recipient* means an applicant that has been approved for funding by the City Council and who has executed a Grant Agreement with the City for an award.
- *Schematic Planting Plan* means a scaled drawing showing all significant components by means of standard symbols, and includes basic information such as the site location map, the limits of the project, property lines or right-of-way lines, plant legend, and master tree planting plan.
- *Tree Commission* means the advisory body created in Chapter 94, *Ordinance Code*.
- *Tree Fund* means the monies within the Tree Protection and Related Expenses Trust Fund, pursuant to Sec. 111.760, *Ordinance Code*, and Sec. 25.04, *Jacksonville Charter*.

III. General Requirements and Eligibility Standards

The following constitutes the general procedures for the Level 3 Program:

- A. **Application Form.** The application form for the Level 3 Program is entitled “Level 3 Community Organization Tree Planting Program” and is prescribed for use with these procedures. Applications for funding must be submitted on this form, and shall include the completed exhibits to the application. An Applicant may only submit one project per application form.
- B. **Eligible Applicants**
 1. **501(c) not-for-profit organizations:**
 - a) Attach a copy of the organization’s IRS determination letter.
 - b) Attach a status of good standing certificate issued by the Florida Division of Corporations evidencing that the Applicant is in good standing and has been

in existence for one (1) year prior to the Level 3 Program Application deadline. See Section VII of these instructions for the Application Schedule. The certificate must be dated within 60 days of the application deadline and list the requesting agency as a Florida non-profit corporation (requested from Florida Division of Corporations here: <http://dos.myflorida.com/sunbiz>).

- c) In order to show that the Applicant is currently operating in Duval County, attach a copy of the Florida Division of Corporations “Detail by Entity Name” webpage from <http://dos.myflorida.com/sunbiz>.

If proof of operation in Duval County cannot be determined by the “Detail by Entity Name,” attach evidence of current operations in Duval County by submitting at least one of the following:

- 1) A list of notable projects or work completed in Duval County by the Applicant; or
- 2) A copy of media publicity identifying work conducted in Duval County (i.e. news article or blog post)

2. Community Organizations - Homeowners Association, Special District, or other unit of local government within Duval County:

- a) For special districts or other unit of local government, attach a copy of the enacted ordinance establishing the district or local unit and provide documentation that the unit is currently in compliance with all state and local requirements.
- b) For Homeowners’ Associations, control of the Homeowners’ Association must have been obtained by members of the association other than the developer.

IV. Submission of Application and Application Materials. Applications must be submitted by mail or delivery to the Tree Commission, care of the Mowing and Landscape Maintenance Division, Department of Public Works, 609 St. Johns Bluff Road North, Jacksonville, Florida 32225. To be timely submitted, applications must be received by 3 pm on or before the published application deadline. Applications received late will not be considered in that award session.

- A. Applications must be transmitted with an original signature cover letter on Applicant's letterhead, signed by the appropriate representative, official or administrator, binding the Applicant to fulfill the commitments made in the application and identifying the person that will act as the key contact between the City and the Applicant.
- B. Applicants must submit four (4) complete and legible sets of application materials. One set shall contain original text and non-text items, along with required signatures.
- C. All Applications must be submitted on the Level 3 Community Organization Tree Planting Program Application form.
- D. The following Exhibits shall be provided with the Application:
 - 1. Proof of eligibility as described in Section III.B (**Exhibit 1**);
 - 2. Corporate Resolution Certification (if applicable) (**Exhibit 2**);
 - 3. Authorization to Plant Trees (**Exhibit 3**). If information is needed regarding the property's ownership, contact the Real Estate Division at (904) 255-8700 for assistance:
 - a) If in the City right-of-way, must obtain a Right-of-Way Permit from the Development Services Division of the Planning and Development Department of the City of Jacksonville, along with the Authorization to Plant Trees form
 - b) If in a City park, must obtain authorization from the Parks and Recreation Department of the City of Jacksonville
 - c) If on Duval County School Board property, must obtain authorization from the Assistant Superintendent of Facilities, and
 - d) If on property controlled by any other governmental entity not described above, must obtain the appropriate authorization from that agency.
 - 4. Schematic Planting Plan, including the following information (**Exhibit 4**):
 - a) North arrow and graphic scale (1" = 20', 30' or 50') shown on each sheet
 - b) Project boundaries
 - c) Location of all plant material, and
 - d) Location map.
 - 5. Plant Schedule listing (**part of Exhibit 4**):
 - a) The species

- b) The size
 - c) Associated notes for each type of plant, and
 - d) Plant quality (Florida Fancy or Florida #1).
6. Scope of Work (**part of Exhibit 4**).
- a) Background. Give an overall brief description of the project and the purpose.
 - b) List of Participants, including but not limited to the Applicant (which will become the “Contractor” as reflected in the Grant Agreement), the City, any volunteers, the Design Consultant, and the landscape contractor.
 - c) Roles, responsibilities and tasks for each Participant, such as:
 - 1) engage the Design Consultant for preparation of the construction drawings and specifications
 - 2) obtain final approval of the design from the City Landscape Architect
 - 3) prepare the bid documents using the City’s specifications as well as site specific specifications for the project, and bid out the implementation to a minimum of three qualified bidders
 - 4) coordinate with the City for approval to use the selected bidder (City may use the City Continuous Contractor at the City’s discretion), and
 - 5) provide project management for the implementation, maintenance, and warranty.
7. Performance Schedule (**part of Exhibit 4**). State when each phase of work will begin and end: design and construction documents; bidding out of final construction documents; planting; and maintenance.
8. Cost breakdown (**Exhibit 5**):
- a) Administrative/contract management fees including, but not limited to: construction coordination, community outreach and/or programs, volunteer coordination, meetings, project coordination, and billing
 - b) Design Consultant Services Fee, with detailed scope of service
 - c) Construction cost, including, but not limited to purchase and installation of plant material, site preparation, maintenance of traffic, and guarantee of plant material. The cost to warranty the plant material shall be provided for each of the following: three (3) months, one (1) year, and two (2) years

- d) The applicant may provide a cost for both irrigating the plantings and for non-irrigated planting projects. If irrigation is planned, then please provide the cost of the installation and for the three lengths of warranty and maintenance for the irrigation system, and
 - e) Cost of performance and payment bond, if required.
9. An executed Jacksonville Tree Commission’s Level 3 Community Organization Tree Planting Program Affidavit. (**Exhibit 6**).
- a) Grant Agreement template shall be included as part of **Exhibit 6**.
- E. Applications must be completed by the Application Deadline. More specifically:
- 1. Applications are deemed complete if all requested and necessary information and documentary proof is provided, as outlined in this document and on the Application.
 - 2. Prior to the submission of an Application, Applicants are strongly encouraged to discuss their conceptual and preliminary ideas with the Tree Commission staff.
 - 3. Applicants may submit their Application to Tree Commission staff for review of completeness of the Application during a courtesy Application review period prior to each Application Deadline. See Section VII of these Instructions for the applicable time frames.
 - 4. Feedback and input from Tree Commission staff may be provided regarding design if time permits.

V. Application Review and Process.

- A. **Staff Review.** The Tree Commission staff will review and prepare a report and recommendation (“Staff Report”) for approval, approval with conditions, or denial that will be sent to the Tree Commission, the District Council Member, and the Applicant. The Staff Report shall be based upon the application and exhibits, and shall include an analysis of each of the Project Evaluation Criteria. The Staff Report will not include a score for each application.
- B. **Application Presentation.** All applications shall be presented at a scheduled public meeting held by the Tree Commission, for review, deliberation, and final recommendation. Special meetings may be held if needed at the discretion of the Tree Commission.

1. Each Applicant shall have 10 minutes to present their Application to the Tree Commission at the scheduled public meeting.
 2. Commissioners shall receive a copy of all Applications and Staff Reports at least 14 days prior to the Tree Commission meeting when the Applications will be heard.
- C. **Tree Commission Review.** Each application will be scored by the Tree Commission on a scale of **0 to 115 points**. Assuming multiple applications are received during each Award Session, the applications will be ranked in order of highest score and included on a recommended Project Priority List submitted to the Mayor's Office for processing through the Mayor's Budget Review Committee ("MBRC") for recommendation to the City Council for the award of Tree Funds for the respective projects. The evaluation of the application will be based on the criteria set forth below and will receive a score from **0 to 115 possible points**. When evaluating each application, the Tree Commissioners shall utilize the information contained in the application, including the exhibits, Staff Report and all information obtained during the Applicant's presentation for scoring. Each Commissioner will individually score each application.
- D. **Project Priority List.** The Assistant General Counsel assigned to the Tree Commission will average the total score for each application from each Commissioner to arrive at a final score for each application. The applications will then be ranked in order of highest average score to the lowest average score, with a total of the funding requested. This ranking will be included in the Tree Commission's Project Priority List to be presented to MBRC for review.
- E. **MBRC Review.** At the earliest MBRC meeting following the ranking of the proposed projects by the Tree Commission, the Tree Commission staff will submit and present the Project Priority List for review and approval through the MBRC process. If the MBRC approves any or all of the projects as presented, or as modified, the Office of General Counsel will prepare the appropriate legislation and Grant Agreement(s) as directed by MBRC for consideration by the City Council for funding. In the alternative, MBRC can decide to delay the funding of a proposed project to a later date or decide not to fund a certain project from the Project Priority

List. If a proposed project is denied by MBRC, no further action on it shall be taken on the project through the Level 3 Program, however, this does not limit the ability of a Council Member to file legislation to implement a project utilizing the Tree Fund.

- F. **City Council Review.** The legislation containing the project(s) and Grant Agreement(s) as directed by MBRC will be filed by the Office of General Counsel with the Legislative Services Division for final decision by the City Council of approval, modification, or denial of the project and Grant Agreement, and appropriation of the Tree Funds.
- G. **Contract Award.** Upon execution of the completed Grant Agreement by all parties, the Applicant will be eligible for payment of funds approved as part of the Project Cost.

VI. Project Evaluation Criteria.

A. Design Review - 35 point total (5 points each)

- 1. The species of trees are appropriately located.
- 2. The number and placement of trees are appropriately located.
- 3. Trees being planted are approved pursuant to the “Tree Commission Approved Tree Planting List,” and as that document is amended from time to time. The list is available on the Tree Commission webpage of the Public Works Department of the City of Jacksonville.
- 4. Shade trees are preferred. If non-shade trees are proposed, the use of those trees versus the use of shade trees in terms of the overall project must be acceptable.
- 5. Less than 25% of the total species of trees being planted are palms.
- 6. The planting will not interfere with utilities or sight line requirements.
- 7. The project does not include incidental landscaping. But in the event it does include incidental landscaping, the applicant may justify the reasons for its inclusion.

B. Cost Review - 25 point total (5 points each)

- 1. Administrative costs are reasonable.
- 2. Design Consultant fees are reasonable.

3. Construction costs, including an itemized amount for the payment and performance bond, if required, are reasonable.
 4. Irrigation costs are reasonable.
 5. The cost of the species of trees selected do not outweigh the benefit of the trees
- C. Maintenance and Impacts Review - 10 point total (5 points each)**
1. Low maintenance plants are utilized, that will require minimum maintenance after the period of mandatory maintenance by the Applicant.
 2. The location of plant material and irrigation have a minimum adverse impact over time on infrastructure such as sidewalks and roadbeds.
- D. Public Benefit Review - 25 point total (5 points each)**
1. The species of trees being planted are beneficial to the City's tree canopy.
 2. The Project provides a unique benefit to the neighborhood, Council District, or City.
 3. The Project serves high visibility areas.
 4. The Project engages the community through volunteers or education or other public engagement.
 5. The Project is aesthetically pleasing and/or combats blight in blighted areas.
- E. Plan-It Geo Objective Criteria Review - 20 point total (4 points each) conducted by staff.** Staff will utilize the Plan-It Geo Web Tool to evaluate the existing conditions of the proposed planting project location. This tool is not based upon and does not include or require uploading the Schematic Design, but rather identifying the geographic boundaries of the project.
1. The location will be evaluated based on the Census Block ranking (1 to 488) developed by Plan-It Geo for the five (5) categories listed below:
 - a) Urban Tree Canopy Percentage
 - b) Stormwater Benefits
 - c) Urban Heat Island
 - d) Socio-Economic Benefits
 - e) Overall-equally weighted criteria, as stated below:

A maximum of four points per category is possible. If a project is on the border of two or more Census Blocks, then the average of the census blocks will be applied to determine a score. The ranking and corresponding points are as follows:

- (1) 1st-25th percentile (1-122) — 4 points
- (2) 26th- 50th percentile (123-244) — 3 points
- (3) 51st-100th percentile (245-366) — 2 points, and
- (4) 76th-100th percentile (367-488) — 1 point.

VII. Application Schedule The Tree Commission will review and create a recommended Project Priority List for submission to the MBRC for a recommendation to the City Council for project funding three (3) times per year, utilizing the Tree Protection and Related Expenses Trust Fund. The initial application deadline will be as soon as practicable after approval of this Level 3 Program by the Tree Commission. The Tree Commission’s review of projects will follow, if possible, the below schedule. All deadlines are 3 pm on the specified date below. If a date listed below falls on a weekend or a legal holiday, the operative date shall be the next business day.

		Application Evaluation Period		
Award Session	Courtesy Application Review Period	Application Deadline	Staff review Deadline	Commission Meeting/Scoring
1	November 1 through 3 weeks prior to Application Deadline	January 2	January 31	February meeting
2	March 1 through 3 weeks prior to Application Deadline	May 1	May 31	June meeting
3	July 1 through 3 weeks prior to Application Deadline	September 1	September 30	October meeting

VIII. Certain Communications Prohibited During Application Evaluation Period.

A. During the Application Evaluation Period, an Applicant shall be prohibited from communicating with Tree Commission members, Tree Commission staff, and other City employees involved with the Level 3 Program Application process regarding an

application submitted by such Applicant. This prohibition shall not apply to the following communications:

1. Communications to the Tree Commission staff regarding matters of process or procedure contained herein or in any related documents;
2. Communications during any publicly noticed meeting under Chapter 286, Florida Statutes, including, but not limited to, Tree Commission meetings and subcommittee meetings; and
3. Communications necessary and solely related to the ordinary course of business concerning an Applicant's existing Level 3 Program Grant Agreement.